



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of: Froseth et al.**

) Group Art Unit: 1761

**Serial Number:** 09/780,273

Examiner Name: R. Madsen

**Filing Date:** **February 9, 2001**

) Atty Docket: 869.018US1

## **For: Customized Food Selection, Ordering and Distribution System and Method**

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

a.  Previously submitted

i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (any unentered amendment(s) referred to above will be entered).

ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on

iii.  Other

b.  Enclosed

i.  Amendment/Response

ii.  Affidavit(s)/Declarations(s)

iii.  Information Disclosure Statement (IDS)

iv.  Other

## 2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)  
b.  Other

### 3. Fees

a.  The Director is hereby authorized to charge any additionally required fees, or credit any overpayments, to Deposit Account No. 04-1075.

b.  Check in the amount of \$1,370.00 is enclosed

i.  RCE fee required under 37 C.F.R. § 1.17(e)

ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii.  Other

c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type): Everett G. Diederiks, Jr.

Registration No. (Attorney/Agent) 33,323

**Signature:**

Date: May 31, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type):

**Signature:**

Date: \_\_\_\_\_

Repln. Ref: 09/27/2005 SDIRETAA1 0014373700  
DA#041075 Name/Number:09780273  
FC: 9204 \$790.00 CR

06/02/2005 HAL111 00000091 09780273  
 01 FC:1801 02 FC:1464 Adjustment date: 09/27/2005 SID:RETA1  
 06/02/2005 HAL111 00000091 09780273  
 01 FC:1801

Dep & Ref



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 04-1075

In re Application of: Froseth et al.

)  
Group Art Unit: 1761

US PATENT & TRADEMARK  
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Serial Number: 09/780,273

)  
Examiner Name: R. Madsen

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)  
Atty Docket: 869.018US1

For: Customized Food Selection, Ordering and Distribution System and Method

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

The below identified communication(s) or document(s) is(are) submitted in the above application or proceeding:

<input checked="" type="checkbox"/> Request For Refund	<input type="checkbox"/> Issue Fee Transmittal
<input checked="" type="checkbox"/> Copies of Supporting Documentation	<input type="checkbox"/> Check in the Amount of \$
<input type="checkbox"/>	<input type="checkbox"/> Assignment
<input type="checkbox"/>	<input type="checkbox"/> Associate Power of Attorney

Please charge Deposit Account Number 04-1075 for any deficiency or surplus in connection with this communication. A duplicate copy of this sheet is provided for use by the Deposit Account Branch.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Everett G. Diederiks, Jr." followed by a stylized signature.

Everett G. Diederiks, Jr.  
Attorney for Applicant  
Registration Number: 33,323

Date August 4, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Froseth et al.

Serial Number: 09/780,273

Filing Date: February 9, 2001

)  
Group Art Unit: 1761

)  
Examiner Name: R. Madsen

)  
Atty Docket: 869.018US1

For: Customized Food Selection, Ordering and Distribution System and Method

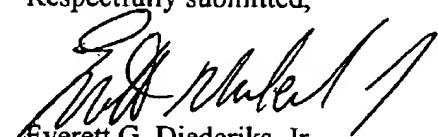
**REQUEST FOR REFUND**

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Please note that an RCE was filed in the above-identified U.S. patent application on May 31, 2005 along with the required filing fee. The RCE was considered improper by the Examiner and, therefore, a second RCE was filed on June 28, 2005, again, along with the filing fee. It is respectfully requested that a refund in the amount of \$790.00 be credited to Deposit Account #04-1075 representing the overpayment. If the Patent Office personnel have any questions regarding this matter, they are cordially invited to contact the undersigned at the number provided below.

Respectfully submitted,



Everett G. Diederiks, Jr.  
Registration No. 33,323

Date: August 4, 2005  
**DIEDERIKS & WHITELAW, PLC**  
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Serial No. 09/780,273 Filed: February 9, 2001 Docket No. GMI5390  
Inventors: Froseth et al.  
Deliver to:  Mail Room  Art Unit  Other  
Special Instructions:

The PTO stamp hereon acknowledged receipt of:

Check for \$1,370.00

Amendment/Response

Issue Fee

Assignment

Extension of Time Petition

Information Disclosure Statement \_\_\_\_\_ refs.

Drawings: Sheets  
     formal  informal

Small Entity Statement

Req. For Continued Examination w/ Req. For Delay and Extension of Time Request

Preliminary Amendment

Request for Refund

Terminal Disclaimer

Notice of Appeal

Appeal Brief (triplicate)

Reply Brief (triplicate)

Communication to:

Other

Filed by: dd/ NSW



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DIEDERIKS & WHITELAW, PLC  
12471 Dillingham Square - #301, Woodbridge, Virginia 22192  
Tel: (703) 583-8300 Fax: (703) 583-8301



Serial No. 09/780,273      Filed: February 9, 2001      Docket No. 869.018US1

Inventors: Froseth et al.

Deliver to:  Mail Room

Art Unit

Other

Special Instructions:

The PTO stamp hereon acknowledged receipt of:

<input checked="" type="checkbox"/> Check for \$ 1,360.00	<input type="checkbox"/> Missing Parts Resp. w/Declaration
<input checked="" type="checkbox"/> Amendment/Response	<input type="checkbox"/> Preliminary Amendment
<input type="checkbox"/> Issue Fee	<input type="checkbox"/> Request for Refund
<input checked="" type="checkbox"/> Request For Continued Examination	<input type="checkbox"/> Terminal Disclaimer
<input checked="" type="checkbox"/> Extension of Time Petition	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Information Disclosure Statement ____ refs.	<input type="checkbox"/> Appeal Brief (triplicate)
<input type="checkbox"/> Drawings: Sheets <input type="checkbox"/> formal <input type="checkbox"/> informal	<input type="checkbox"/> Reply Brief (triplicate)
<input type="checkbox"/> Small Entity Statement	

Communication to:

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